

**UNITED STATES DISTRICT COURT  
for the  
DISTRICT OF MASSACHUSETTS**

BROADCAST MUSIC, INC.; )  
UNIVERSAL-SONGS OF POLYGRAM )  
INTERNATIONAL, INC.; )  
SONY/ATV SONGS LLC d/b/a SONY/ATV )  
TREE PUBLISHING; DYNATONE PUBLISHING )  
COMPANY; RONDOR MUSIC )  
INTERNATIONAL, INC. d/b/a IRVING MUSIC; )  
JAMES WILLIAM BUFFETT a/k/a JIMMY )  
BUFFETT, an individual d/b/a CORAL REEFER )  
MUSIC; FOUR- TEENTH HOUR MUSIC INC.; )  
SPRINGTIME MUSIC, INC.; EMI VIRGIN )  
SONGS, INC. d/b/a EMI FULL NELSON MUSIC; )  
FREDERICK S. BIENSTOCK and )  
HAMMERSTEIN MUSIC & THEATRE )  
COMPANY, INC., a Connecticut Partnership d/b/a )  
EDWARD B.MARKS MUSIC COMPANY; )  
DANDELION MUSIC CO., A Division of )  
JAMIE MUSIC PUBLISHING CO.; PRONTO )  
MUSIC, a division of COTILLION MUSIC, INC.; )  
QUINON R. IVY d/b/a QUINVY MUSIC )  
PUBLISHING CO.; WARNER-TAMERLANE )  
PUBLISHING CORP.; JEFF TROTT d/b/a )  
TROTTSKY MUSIC; SHERYL SUZANNE )  
CROW d/b/a OLD CROW MUSIC; SONGS OF )  
UNIVERSAL, INC.; LISA ANNE LOEB, )  
an Individual d/b/a FURIOUS ROSE MUSIC; )  
JUAN P. PATINO, an individual d/b/a )  
JUAN PATINO MUSIC PUBLISHING, )

Plaintiffs,

v.

Civil Action No.: 05 11845 RCL

MARINA VIEW CORPORATION d/b/a )  
SKYLINE BAR & GRILL, )  
GRIMOALDO A. RUSCITO, )  
ANTONIO C. RUSCITO and )  
ANTHONY RUSCITO, each )  
individually, )

Defendants.

**STIPULATION OF DISMISSAL WITH PREJUDICE**

The parties to this action stipulate and move that this action be dismissed with prejudice, each party to bear its own costs, provided however that the Court shall retain jurisdiction of this matter and the parties thereto for the purpose of enforcing the Settlement Agreement concerning this action dated as of October 16, 2006.

Respectfully submitted:

Date: October 18, 2006

BROADCAST MUSIC, INC., et al,  
Plaintiffs,

By their attorneys,

/s/ Amy C. Mainelli  
William S. Strong, Esq., BBO  
#483520  
Amy C. Mainelli, Esq., BBO  
#657201  
KOTIN, CRABTREE & STRONG  
One Bowdoin Square  
Boston, Massachusetts 02114  
Tel: (617) 227-7031  
Fax: (617) 367-2988

MARINA VIEW CORPORATION  
d/b/a  
SKYLINE BAR & GRILL,  
GRIMOALDO A. RUSCITO,  
ANTONIO C. RUSCITO and  
ANTHONY RUSCITO,  
By their attorney,

/s/ Andrew D. Epstein  
Andrew D. Epstein, BBO #155140  
Barker, Epstein & Loscocco  
10 Winthrop Square  
Boston, MA 02110  
Tel: (617) 482-4900

**SO ORDERED:**

\_\_\_\_\_  
Date

\_\_\_\_\_  
United States District Judge